

REMARKS/ARGUMENTS

No claims have been canceled. Claims 29, 35, 39 and 45 have been amended. The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claim Objections

The Examiner stated that the status identifiers "Previously Canceled" are not recognized under the Revised Amendment Practices implemented in July 2003. Accordingly, the Applicant has corrected the status identifier for claims 1-28 to "Canceled". Therefore, the Applicant respectfully requests withdrawal of the objection.

Claim Rejections

35 U.S.C. § 102(b) Rejections

The Examiner rejected claims 39, 42, and 44 under 35 U.S.C. § 102(e) as being taught by U.S. Patent 5,903,750 (hereinafter "Yeh").

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Applicant's independent claim 39 includes limitations not disclosed nor suggested by Yeh. Therefore, applicants' claim 39 is not anticipated by Yeh. In particular, applicant's amended claim 39 includes the limitation of:

a predicted predicate value (PPV) calculator to calculate a PPV for the predicated instruction by comparing a subset of bits from a first operand to a

subset of bits from a second operand, the PPV having a value of TRUE or FALSE (emphasis added).

Yeh does not disclose or suggest comparing a subset of bits from a first operand to a subset of bits from a second operand. Therefore, considering applicants' independent claim 39 includes limitations that are not disclosed nor suggested by Yeh, Therefore, applicants' independent claim 39 is not anticipated by Yeh.

Furthermore, claims 42 and 44, which were also rejected as being anticipated by Yeh, depend from claim 39 and therefore also include the distinguishing claim limitations. As a result, claims 42 and 44 are also not anticipated by Yeh.

35 U.S.C. § 103(a) Rejections

The Examiner rejected claims 29-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,903,750 (hereinafter "Yeh") in view of U.S. Patent 6,009,512 (hereinafter "Christie"). The Applicants respectfully disagree, and submit the following arguments in defense of their position.

The Examiner rejected claim 30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,903,750 (hereinafter "Yeh") in view of U.S. Patent 6,009,512 (hereinafter "Christie") as applied to claim 29 above, and further in view of Heuring and Jordan's Computer Systems Design and Architecture (hereinafter "Heuring").

The Examiner rejected claims 35-38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,903,750 (hereinafter "Yeh") in view of Heuring and Jordan's Computer Systems Design and Architecture (hereinafter "Heuring").

The Examiner rejected claims 40 and 41 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,903,750 (hereinafter "Yeh") in view of U.S. Patent 5,857,104 (hereinafter "Natarajan").

The Examiner rejected claims 45-50 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,903,750 (hereinafter “Yeh”) in view of U.S. Patent 5,857,104 (hereinafter “Natarajan”).

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (Manual of Patent Examining Procedure (MPEP) ¶ 2143.03).

Applicants’ independent claims 29, 35 and 45 include limitations not disclosed by the combined teachings Yeh, Natarajan and Heuring.

Amended independent claim 29 includes the limitation:

comparing a subset of bits from a first operand to a subset of bits from a second operand to determine a predicted predicate value (PPV) for a predicate of a predicated instruction, the PPV having a value of TRUE or FALSE (emphasis added)

As well, applicants’ amended independent claim 35 includes the limitation of:

a predicted predicate value (PPV) calculator having a first input coupled to an output of the predicate history table and a second input coupled to an output of the register file, the PPV calculator to calculate a PPV by comparing a subset of bits from a first operand to a subset of bits from a second operand, having a value of TRUE or FALSE, for a predicated instruction (emphasis added).

As well, applicants’ amended independent claim 45 includes the limitation of:

a processor to receive the predicated instruction and to calculate a predicted predicate value (PPV) for the predicate of the predicated instruction by comparing a subset of bits from a first operand to a subset of bits from a second operand, the PPV having a value of TRUE or FALSE (emphasis added).

In regards to independent claims 29, 35 and 45, Yeh does not suggest or disclose comparing a subset of bits from a first operand to a subset of bits from a second operand. As such, Yeh fails to disclose the limitations mentioned above. Further, Heuring and Natarajan

also fail to disclose this limitation in regards to the independent claims. Hence, the combined teachings of Yeh, Heuring and Natarjan also fail to make the independent claims obvious.

Furthermore, the remaining claims that were also rejected as being obvious by Yeh, Heuring and Natarjan, depend from one of the independent claims discussed above and therefore also include the distinguishing claim limitations. As a result, the remaining claims are also not made obvious by Yeh, Heuring and Natarjan.

CONCLUSION

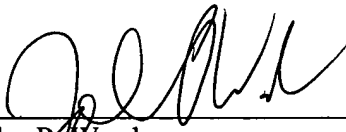
Applicants respectfully submit the present application is in condition for allowance.
If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John P. Ward at (408) 4720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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